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Attorneys for Defendant,

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

HONORABLE LARRY A. BURNS

UNITED STATES OF AMERICA, Plaintiff, v. JUAN CARLOS GARCIA, Defendant. ___________________________________	))))))))))))	CASE NO. 08CR2713-LAB MOTION FOR JOINDER WITH MOTIONS PREVIOUSLY FILED DATE: September 22, 2008 TIME: 2:00 P.M.

TO: KAREN HEWITT, UNITED STATES ATTORNEY AND TO ANNE PERRY, ASSISTANT UNITED STATES ATTORNEY:

PLEASE TAKE NOTICE that on September 22, 2008 at 9:30 a.m., or as soon thereafter as counsel may be heard, the defendant, Juan Carlos Garcia, by and through his counsel Russell S. Babcock, will move this Court to enter an Order allowing joinder with th motions filed by co-counsel as detailed below.

Defendant was a passenger in the vehicle driven by his sister, co-defendant, Ana Garcia. Defendant is informed and believes that today co-defendant will be filing motions inter.alia, pertaining to the validity of the vehicle stop, including the lack of reasonable suspicion and excessive force used in the automobile stop. Additionally defendant is informed and believes that co-defendant is filing a discovery motion. Accordingly, in the interest of judicial economy, defendant requests joinder in all motions filed by co-defendant.

This motion is based upon the instant Notice of Motion and Motion, Rule 16, Federal Rules of Criminal Procedure, the Due Process Clause of the United States Constitution, the files and records in this cause and any and all matters that may be brought to the attention of this Court prior to the determination of this motion.

DATED: September 2, 2008

Respectfully submitted,

/s/ Russell S. Babcock
RUSSELL S. BABCOCK
Attorney for Defendant

PROOF OF SERVICE BY MAIL OR HAND DELIVERY

Case Name: **United States v. Garcia (Def #2, Juan Garcia)**
No.: 08-2713-2-LAB

I am employed in the County of San Diego, State of California. I am over the age of 18 and not a party to the within action. My business address is that of 1400 Sixth Ave., Suite #210, San Diego, California 92101

I am not a party to the above-entitled action. I have cause service of Motion for Joinder by electronically filing the foregoing with the Clerk of the District Court using the ECF System, which electronically notifies them:

Anne Perry
Assistant U.S. Attorney

Eric Guzman
Attorney for Ana Garcia

Executed on September 2, 2008 at San Diego, California.

I declare under penalty of perjury that the above is true and correct.

/s/ Russell S. Babcock
Russell S. Babcock